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14 Attorneys for Defendant
Yakult U.S.A., Inc.

15 UNITED STATES DISTRICT COURT
16
17 NORTHERN DISTRICT OF CALIFORNIA
18 SAN JOSE DIVISION

19 ELIZABETH BAHN, on Behalf of Herself
20 and All Others Similarly Situated,

21 Plaintiffs,

22 vs.

23 YAKULT HONSHA CO., LTD.;
24 YAKULT S.A. DE C.V., and YAKULT
25 U.S.A. INC.,

26 Defendants.

Case No: CV 12-01634 LHK

Class Action

**STIPULATION TO EXTEND THE
TIME WITHIN WHICH TO FILE
OPPOSITION AND REPLY
REGARDING DEFENDANT'S MOTION
TO DISMISS, OR FOR PLAINTIFF TO
AMEND THE COMPLAINT**

Civ. L.R. 6-2

Plaintiff Elizabeth Bahn ("Plaintiff") and Defendant Yakult U.S.A. Inc. ("Defendant"), by and through their respective undersigned counsel, hereby stipulate that Plaintiff may have a 30 day extension of time through and including July 23, 2012 within to file her Opposition to Defendant's Motion to Dismiss, or in the Alternative, Strike, Plaintiff Elizabeth Bahn's Complaint [D.E. 12] ("the Motion") or amend the complaint, and that if Plaintiff files an Opposition to the Motion then Defendant may have an extension of time through and including August 3, 2012 within which to file its Reply in support of the Motion. The Motion hearing date and time remain unchanged -- September 27, 2012 at 1:30 p.m. The declarations required by Civil Local Rule 6-2(a) are attached hereto.

IT IS SO STIPULATED.

Dated: June 20, 2012

BECK & LEE TRIAL LAWYERS

By: /s/ Jared H. Beck

Jared H. Beck

Attorneys for Plaintiff

Dated: June 20, 2012

SQUIRE SANDERS (US) LLP

By: /s/ Mark C. Dosker

Mark C. Dosker

Attorneys for Defendant
YAKULT U.S.A. INC.

PURSUANT TO STIPULATION, IT IS SO ORDERED.

Dated: _____, 2012

Hon. Lucy H. Koh

United States District Judge

1 I, Elizabeth Lee Beck, declare as follows:

2 1. I am an attorney at law licensed to practice before this Court, before all other
3 federal and state courts located in the State of California, and before multiple other state and
4 federal courts. I am a partner in the law firm of Beck & Lee, P.A. I am one of the attorneys
5 representing Plaintiff Elizabeth Bahn ("Plaintiff") in the above-captioned action. The matters set
6 forth below are within my personal knowledge, and if called upon as a witness, I could and
7 would testify competently thereto.

8 2. The reason for the requested enlargement of time for Plaintiff to respond to
9 Defendant Yakult U.S.A., Inc.'s Motion to Dismiss, or in the Alternative, Strike, Plaintiff
10 Elizabeth Bahn's Complaint [D.E. 12] ("the Motion") or amend the complaint is to provide
11 Plaintiff's counsel with adequate time to formulate a proper response or prepare an amended
12 complaint. Furthermore, I am currently undergoing medical treatment and will be having major
13 surgery in the coming week.

14 3. The only previous time modifications in the case are as set forth above and the
15 initial extension of time for Defendant Yakult U.S.A., Inc. to respond to the complaint, as shown
16 in the Court's docket. This is Plaintiff's first prayer for an extension of time in this case.

17 4. This requested time modification would have no effect on the schedule for the
18 case.

19
20 I declare under penalty of perjury under the laws of the United States of America that the
21 foregoing is true and correct. Executed on June 20, 2012 at Miami, Florida.
22

23 /s/ Elizabeth Lee Beck
24 Elizabeth Lee Beck
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1 I, MARK C. DOSKER, declare as follows:

2 1. I am an attorney at law licensed to practice before this Court, before all other
3 federal and state courts located in the State of California, before the Supreme Court of the United
4 States of America, and before multiple other federal courts. I am a partner in the law firm of
5 Squire Sanders (US) LLP. I am one of the attorneys representing Defendant Yakult U.S.A. Inc.
6 (“Yakult USA”) in the above-captioned action. The matters set forth below are within my
7 personal knowledge, and if called upon as a witness, I could and would testify competently
8 thereto.

9 2. The reason for the requested enlargement of time for Yakult USA’s Reply on the
10 pending Motion is that, if Plaintiff’s requested enlargement of time for Plaintiff’s Opposition on
11 the pending Motion is granted, then the time to work on Yakult USA’s Reply would fall during a
12 time when I expect to be on family travel.

13 3. The only previous time modifications in the case are as set forth above and the
14 initial extension of time for Yakult USA to respond to the complaint, as shown in the Court’s
15 docket.

16 4. This requested time modification would have no effect on the schedule for the
17 case.

18
19 I declare under penalty of perjury under the laws of the United States of America that the
20 foregoing is true and correct. Executed on June 20, 2012 at San Francisco, California.
21

22 /s/ Mark C. Dosker
23 Mark C. Dosker
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